

**TITLE 16. CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the California Architects Board, 2420 Del Paso Road, Suite 105, Sacramento, California 95834, on **October 11, 2007 at 10:00 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **October 10, 2007** or must be received by the Board at the hearing.

The Board, upon its own motion or at the insistence of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC), and to implement, interpret or make specific sections 5681 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR), Section 2649 as follows:

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC section 5651 requires that the Board administer a written examination that ascertains the professional qualifications of all applicants for licenses to practice landscape architecture. BPC section 5681 authorizes the Board to charge fees for sections of the licensing examination administered by the Board that do not exceed the actual cost of purchasing and administering those sections as well as charge a fee for an original license and renewal not to exceed \$400. CCR 2649 makes specific the reference and authority of the BPC and sets the fee for sections of the licensing examination administered by the Board and for an original and renewal licenses.

In 2004 the Joint Legislative Sunset Review Committee (JLSRC) recommended the Landscape Architects Technical Committee (LATC) should make effort to assure applicants for licensure pay the full costs to the Board for processing applications and providing examinations rather than subsidizing these costs with licensing fees. In February 2007 the national examination vendor notified the LATC of an increase to the examination administered by the Board through September 30, 2009. Also, the fees for an original and renewal license have not increased since 1991 while inflation has grown at an average of 2.7% per year in that time. The Department of Consumer Affairs has recently assessed the LATC fund and it will fall below acceptable reserve levels by the 2010/2011 Fiscal Year and the fund is expected to incur a deficit in the fiscal years

thereafter. The LATC has also recently redeveloped the format of the California Supplemental Examination (CSE) to a multiple-choice examination, it had previously been a take home examination, and will require annual evaluation to maintain the validity, security and integrity of the CSE.

This proposal would modify CCR 2649 with the following changes: 1) modify examination fees for Sections C and E of the licensing examination to reflect the increased cost of purchasing the examination from the national examination vendor, effective on July 1, 2008, 2) increase the fee for an original license, 3) increase the fee for a biennial renewal, and 4) increase CSE fee to enable recovery of costs directly associated with the administration and annual development of the CSE, effective on July 1, 2008.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Board is an increase in the examination fees paid by candidates for the licensing examination, an increase in original license and biennial license renewal fees paid by licensees, and an increase in the CSE fee.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses. This proposal would modify CCR 2649 with the following changes: 1) modify examination fees for Sections C and E of the licensing examination to reflect the increased cost of purchasing the examination from the national examination vendor, effective on July 1, 2008, 2) increase the fee for an original license, 3) increase the fee for a biennial renewal, and 4) increase the CSE fee to

enable recovery of costs directly associated with the administration and annual development of the CSE, effective on July 1, 2008.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome on affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of reasons for the proposed action and has made available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Landscape Architects Technical Committee, at 2420 Del Paso Road, Suite 105, Sacramento, California, 95834, or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULE MAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking actions may be addressed to:

Name:	Ethan Mathes
Address:	Landscape Architects Technical Committee 2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7230
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E-mail Address:	Ethan_Mathes@dca.ca.gov

The backup contact person is:

Name:	Mary Ann Aguayo
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Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.